

**Smith, Steve**

**From:** Ako-Nai, Abby [aako-nai@orrick.com]  
**Sent:** Wednesday, September 17, 2008 5:05 PM  
**To:** Smith, Steve  
**Cc:** Chatterjee, I. Neel; Parker, Warrington; Avalos, Julio  
**Subject:** Facebook v. StudiVZ  
**Attachments:** DOC001.PDF; Court Info.PDF; Judge Fogel Standing Ord. re Pretrial.pdf; Mag. Judge Lloyd Standing Ord.pdf; Standing Ord. for All Judges of ND of Cal.pdf; Standing Ord. Re Case Mgmt for SJ Div.pdf; 2008.07.18 Order re Initial CMC.pdf; Consent to a Judge.PDF; 2008.07.24 [FB] Certification of Interested Parties [7].pdf; 2008.07.21 [FB] Declination to Proceed Before Mag Judge [4].pdf; 2008.07.22 [Court] Clerk's Ntc of Impending Reass'mnt to USD Judge [5].pdf

Please see attached correspondence of today's date with attachments.

**O**rrick Herrington & Sutcliffe LLP  
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"EMF <[orrick.com](mailto:orrick.com)>" made the following annotations.

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2/10/2009



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September 17, 2008

Julio C. Avalos  
(650) 289-7184  
javalos@orrick.com

**VIA E-MAIL ATTACHMENT**

Stephen S. Smith  
1900 Avenue of the Stars, 21st Floor  
Los Angeles, CA 90067  
ssmith@ggfirm.com

Re: Facebook v. StudiVZ, et al.

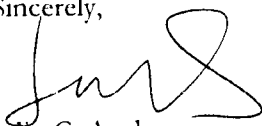
Dear Mr. Smith,

I understand that you mentioned to Warrington Parker in your conversation of September 16, 2008, that you might not have been served with copies of the miscellaneous Northern District papers associated with this matter. I also understand that you do have a copy of the order setting the CMC date.

Our records reflect that copies of these documents were served on your client Verlagsgruppe Georg von Holtzbrinck, GmbH on August 21, 2008 pursuant to the Hague Convention on Service Abroad. Given that you filed a response on behalf of VGH 20 days from that date, I assume that you were aware of the effected service and were in receipt of the service package since then.

In any event, I have attached a copy of each of these documents as a courtesy to you.

Sincerely,



Julio C. Avalos  
Attachments

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Facebook, Inc.,  
Plaintiff,

v.

Studivz, Ltd, et.al.,  
Defendants.

No. C08-03468

**CLERK'S NOTICE OF IMPENDING  
REASSIGNMENT TO A UNITED  
STATES DISTRICT JUDGE**

The Clerk of this Court will now randomly reassign this case to a United States District Judge because one or more of the parties has requested reassignment to a United States District Judge or has not consented to jurisdiction by a Magistrate Judge.

PLEASE TAKE NOTICE that a Case Management Conference in the above-entitled matter which was previously set for November 4, 2008 before the Honorable Judge Howard R. Lloyd has been continued to **November 7, 2008 at 10:30 a.m.**, before the Honorable Judge Jeremy Fogel. Parties are to appear in courtroom #3, 5th floor of the U.S. Courthouse, 280 South First Street, San Jose, California. Parties are to submit a Joint Case Management Statement on October 31, 2008.

If the above-entitled matter settles counsel are required to notify the Court by contacting the Courtroom Deputy at (408) 535-5166, so as to take this matter off calendar.

Dated: July 22, 2008

RICHARD W. WIEKING, Clerk  
United States District Court

/s/ Patty Cromwell  
By: Patty Cromwell, Courtroom Deputy  
to Magistrate Judge Howard R. Lloyd

THIS SHALL CERTIFY THAT A COPY OF THIS NOTICE WAS PROVIDED TO:

1  
2 I. Neel Chatterjee nchatterjee@orrick.com, kmudurian@orrick.com

3 Warrington S. Parker , III wparker@hewm.com, Susan.Griffin-Preston@hellerehrman.com

4 Gary Evan Weiss gweiss@orrick.com, NAA@orrick.com, rburton@orrick.com,  
5 wmoore@orrick.com

United States District Court  
For the Northern District of California